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COMMERCE FOR USPTO

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TAGS: [ECON](#) [ETRD](#) [KIPR](#) [JO](#)  
SUBJECT: JORDAN PLEASED WITH SPECIAL 301 RESULTS FOR 2009

REFS: A) STATE 42812  
B) AMMAN 946  
C) AMMAN 545

¶1. (U) Summary: The Ambassador and Econoffs delivered ref A points separately to Minister of Industry and Trade Amer Hadidi and Director General of the National Library Mamoun Talhouni, noting that Jordan would not be listed in the Special 301 report and urging continued engagement with the USG on outstanding issues in intellectual property rights (IPR). Both interlocutors welcomed the Special 301 results and agreed that more work needed to be done, particularly on strengthening enforcement and prosecution. End Summary.

¶2. (SBU) Econoffs, noting the embargo, informed Minister Hadidi of the Special 301 results in an April 29 meeting. Hadidi welcomed the news and asserted that the Government of Jordan (GOJ) would continue to maintain a positive momentum on improving IPR protection in Jordan. In particular, he noted that the GOJ would still like to establish an interagency commission to coordinate enforcement efforts, but the Parliament was not in favor of creating any parallel entities that might dilute the power and effectiveness of the central government. Econoff also raised the concern that some apparel made in Jordan's Qualifying Industrial Zones, presumably rejects, appeared to be entering the local market without removal of the tags. The Ministry of Industry and Trade had formed an interagency committee to look into the issue, and Hadidi assured that he would follow up with his staff on the committee's findings. EconCouns offered continued USG assistance and dialogue on IPR matters.

¶3. (U) The Ambassador delivered ref A points on April 30 to National Library Director General Talhouni, commending his organization's efforts to improve copyright enforcement despite limited capacity. Pleased with the Special 301 results, Talhouni noted that his enforcement staff recently expanded to 14 inspectors who now compose four teams instead of the previous two. The increase in personnel has allowed the National Library to extend its reach beyond Amman and conduct raids five days per week throughout the country.

¶4. (SBU) As a result, in just the first four months of 2009, the National Library referred 181 copyright cases to the courts, compared to 354 cases during the entire year of 2008, and requested the courts to close down 25 shops. Talhouni also mentioned that a raid of just one shop during the week of April 19 led to the seizure of 31,000 pirated DVDs. Increasing availability of illicit decoders has become another concern, and Talhouni has been working with the Telecommunications Regulatory Commission to disrupt illegal signals that cafes or other business establishments are using to broadcast sporting games or other shows (ref B). Talhouni noted that pirated goods are not being made in Jordan, but rather are coming from Syria and the Far East, particularly China; he highlighted the importance

of fighting IPR violations in the countries that are manufacturing such materials.

¶5. (SBU) An ongoing weak spot within Jordan is relatively lenient sentencing, according to Talhouni (ref B). While he noted that USPTO training of judges and prosecutors has been essential for improving sentences for IPR crimes, he lamented that the courts do not use their authority to close shops that are selling pirated goods, which he believes would be one of the most effective deterrents. Additionally, he said repeated IPR crimes do not seem to reap harsher sentences and the appeals courts tend to overturn decisions. The Ambassador said he would address these matters with the Minister of Justice.

¶6. (SBU) Regarding amendments to the copyright law, Talhouni said that the Prime Ministry's Legislative and Opinion Bureau still needed to review the proposed changes before it could move to the Cabinet and Parliament for approval. Although Talhouni is not responsible for amending the Customs Law, he also confirmed the need to provide customs officials with ex officio authority to refer cases to the courts in the absence of a formal complaint by a rightholder. The Ambassador responded that we shared his concerns and would take up these issues separately with Jordan's political leadership.

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